

**TREEHOUSE LAW, LLP**

Benjamin Heikali (*Pro Hac Vice*)  
2121 Avenue of the Stars, Ste. 2580  
Los Angeles, CA 90067  
Telephone: (310) 751-5928  
E-mail: bheikali@treeouselaw.com

**CUSTODIO & DUBEY, LLP**

Robert Abiri  
445 S Figueroa Street, Ste. 2520  
Los Angeles CA 90071  
Telephone: (213) 593-9095  
E-mail: abiri@cd-lawyers.com

*Attorneys for Plaintiff and the Putative Classes*

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

DANIELLE WARD, on behalf of herself and  
all others similarly situated,

Plaintiff,

v.

BESPOLITAN INC. and  
ELEGANT COMFORT INC.,

Defendants.

No.: 1:23-cv-00069

**JOINT NOTICE OF SETTLEMENT AND  
REQUEST TO VACATE CASE  
DEADLINES**

1 Plaintiff Danielle Ward (“Plaintiff”), together with Defendants Bespolitan Inc. and Elegant  
2 Comfort Inc. (“Defendants”) (collectively, the “Parties”), hereby jointly provide notice and inform  
3 the Court that a confidential individual resolution of this action has been reached. The settlement  
4 resolves and releases Plaintiff’s individual claims but does not include the claims of any putative  
5 class in this action.

6  
7 Pursuant to the settlement, the terms of the settlement should be fully effectuated by June  
8 10, 2024, and upon effectuation, Plaintiff shall file for voluntary dismissal with prejudice by no later  
9 than June 17, 2024. In the event settlement has not been fully effectuated by June 10, 2024, the  
10 Parties will provide a status update to the Court on or before June 17, 2024. As such, the Parties  
11 respectfully request that the Court vacate the current case deadlines set forth in the Case  
12 Management Order (ECF No. 16).

13  
14  
15 DATED: November 30, 2023

**CUSTODIO & DUBEY, LLP**

By: /s/ Robert Abiri

18 Robert Abiri (SBN 238681)  
19 E-mail: [abiri@cd-lawyers.com](mailto:abiri@cd-lawyers.com)  
20 445 S. Figueroa Street, Suite 2520  
21 Los Angeles, CA 90071  
22 Telephone: (213) 593-9095  
23 Facsimile: (213) 785-2899

24  
25 DATED: November 30, 2023

**TREEHOUSE LAW, LLP**

By: /s/ Benjamin Heikali

26 Benjamin Heikali  
27 E-mail: [bheikali@treehouselaw.com](mailto:bheikali@treehouselaw.com)  
28 10250 Constellation Blvd., Ste. 100  
Los Angeles, CA 90067  
Telephone: (310) 751-5948

*Attorneys for Plaintiff and the Putative Classes*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: November 30, 2023

**ABRAMS FENSTERMAN, LLP**

By: /s/ Alex Leibson

Alex Leibson

E-mail: [aleibson@abramslaw.com](mailto:aleibson@abramslaw.com)

2280 Easte Avenue, First Floor

Rochester, NY 14610

Telephone: (585) 218-9999

*Attorney for Defendant*